



1645 #

PATENT  
Customer No. 22,852  
Attorney Docket No. 7787.0041-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Gerald W. FISCHER et al. ) Group Art Unit: 1645  
)  
Application No.: 09/893,615 ) Examiner: V. Portner  
)  
Filed: June 29, 2001 )  
)  
For: Opsonic and Protective Monoclonal )  
and Chimeric Antibodies Specific )  
for Lipoteichoic Acid of Gram )  
Positive Bacteria )

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

10/06/2003 MROCHA1 00000042 09093615

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Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

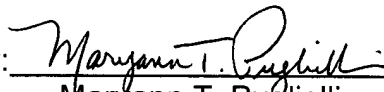
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 3, 2003

By:   
Maryann T. Puglielli  
Reg. No. 52,138

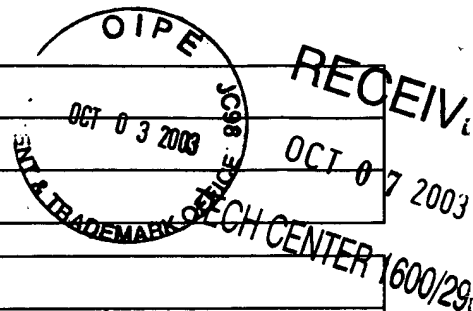
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# INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

Atty. Docket No.	07787.0041-01000	Appln. No.	09/893,615
Applicant	Gerald W. Fischer et al.		
Filing Date	June 29, 2001	Group:	1645



## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	6,610,293	08/26/03	Fischer et al.			06/15/98

## U.S. PATENT APPLICATIONS

	Application Number	Publication Number	Publication Date	Name	Filing Date
	10/323,927			Stinson et al.	12/20/02
	10/601,171			Fischer et al.	6/23/03
	10/323,926			Stinson et al.	12/20/02

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Dale et al., Passive Protection of Mice Against Group A Streptococcal Pharyngeal Infection by Lipoteichoic Acid, <i>J. Infect. Dis.</i> <b>169</b> :319-23 (1994).
	Harlow and Lane, Antibodies: A Laboratory Manual, pp. iii-ix (Cold Spring Harbor Laboratory 1988).
	Remington's Pharmaceutical Sciences, pp. xv-xvi (A. Gennaro, ed. Mark Publishing Co. 1990).
	Sambrook et al., Molecular Cloning, pp. xi-xxxviii (Cold Spring Harbor Laboratory 1989).
	Short Protocols in Molecular Biology, pp. iii-xvi (F. Ausubel et al., eds. Greene Publishing Assoc. 1989).

Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce